

1912-019 Chancery Causes: Petition of W. R. Williams, gdn.
Lee Co.

Newman

CA - Other

T - Property

Additional Information:

- Petition to remove word's
funds out of state

To the Honorable H. A. W. Skeen, Judge of the Circuit Court for Lee County, Virginia.

Humbly complaining your petitioner, W.R. Williams, a citizen of Whitley County, Kentucky, would respectfully represent and show unto your honor that heretofore to-wit, at the December term, 1910, of the County court of Whitley, he was appointed and qualified as guardian for Ettie Williams, nee Ettie Newman, a minor, over the age of fourteen years, and that your petitioner as such guardian entered into bond for the faithful performance of his trust as guardian for said infant in the sum of \$6000⁰⁰₇₅, with S.H. Kash as surety, which said bond is duly approved by the Judge of the County court of said Whitley County, Kentucky, as will more fully appear by a transcript of the record of said appointment and said bond duly authenticated according to Section 3342 of the Code of Virginia, and herewith filed as part of this bill as Exhibit No. 1.

Your petitioner would respectfully represent and show unto your Honor that in a suit lately pending in the Circuit Court for Lee County, certain lands belonging to the said Ettie Newman, now Ettie Williams, and others was sold and the proceeds of the sale thereof was placed in the hands of W.E. Orr, who was appointed and qualified as guardian for the beneficiariess of said fund, all of them being infants, but the exact amount of said fund cannot be ascertained until the said guardian makes a settlement before the Commissioner of accounts of Lee County, and his account has been ascertained in the manner required by law, but there are several hundred dollars going to the said infant.

Your petitioner would further represent and show unto your Honor that if the said minor, Ettie Williams, were dead that her brothers and sisters, namely, Henry Newman, one infant
under the age of 21 years -
would be her heirs, and that none of her said brothers and sisters live in the State of ^{Kentucky} ~~Virginia~~, but are also residents of the State of Kentucky. Virginia

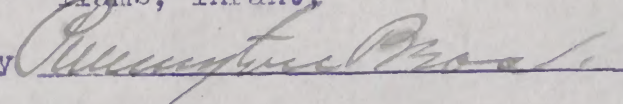
Your petitioner would further represent and show unto your Honor that the removal of the said money from Lee County, Virginia, to Whitley County, Kentucky, will not impair the rights or be prejudicial to the interest of said infant, or any other person, but your petitioner alleges that it would be to the interest of the said infant to have said fund removed to Whitley County, Kentucky, where the said infant resides, with ~~her~~ husband; that she is in need of the said money for present purposes, and that the same can be spent greatly to her benefit at the present time in her own State.

Your petitioner would further represent and show unto your Honor that he has had notice of this application to remove the said fund from Lee County, Virginia, to Whitley County, Kentucky, duly published for four successive weeks in the Jonesville Star, a weekly newspaper published in Jonesville, Lee County, Virginia, and having a general circulation, a copy of which said notice duly certified by the Editor of said paper, is herewith filed as Exhibit No. 2.

The prayer, therefore, of your petitioner is that this petition be permitted to be filed; that an order be entered directing the said proceeds of the said sale of said lands in the hands of said W.E. Orr, guardian as aforesaid, to be paid and delivered to your petitioner as guardian as aforesaid for said infant, or his attorney, and that authority be granted your petitioner to remove said fund to the State of Kentucky in the County of Whitley, in which he has been appointed and qualified. And may all other, further and general relief be granted your petitioner that the nature of his cause and good conscience requires. And he will ever pray &c.

W.R. Williams, guardian for Ettie Williams, infant.

By

 Attorney.

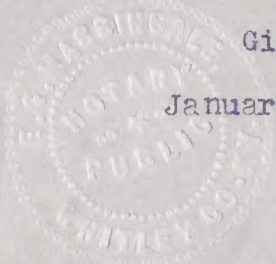
State of Kentucky,

County of Whitley, to-wit:

I, E. G. Massingale a Notary Public in and for the County of Whitley, and State of Kentucky, do hereby certify that W.R.Williams, this day made oath before me that the statements made in the foregoing petition are true to the best of his knowledge and belief.

Given under my hand and seal of Office this the 17th day of January, 1912. *my comm. Expires Feb'y 8-1914*

E. G. Massingale N.P.
W. Co. Ky.



H. R. Williams

do { Petition to
Removal funds
to Ky -

Ethel Williams

APB

Go before Notary

Publicist make out

to this paper

Costs:

Clerk \$3.53

Printer 7.00

att'y 15.00

\$25.53

Pennington Bros.

ATTORNEYS AT LAW.

JONESVILLE AND PENNINGTON GAR, VA.

W.R.Williams,guardian for Etta Williams.....Complainant.

Vs. In Chancery.

Etta Williams... ..Defendant.

Whereas, there is in the hands of W.E.Orr,guardian for Etta Williams,formerly Etta Newman, certain funds and monies belonging to her; and,

Whereas the said W.R.Williams has filed his petition in the Circuit Court for Lee County on the 23rd day of February,1912, seeking to have such funds in the hands of said W.E.Orr,guardian,transferred to Whitley County, Kentucky; and,

Whereas the said Etta Williams **is** an infant and not a resident of the State of Virginia,being residents in the County of Whitley, State of Kentucky; and,

Whereas, it appears to the court that the said W.R.Williams has duly qualified in Whitley County,Kentucky as guardian for the said infant,and has duly executed bond in the County court of Whitley,in the State of Kentucky, according to the laws of the said State as appears by a transcript of the record duly certified and authenticated according to law in such cases made and provided, and the court being satisfied that such bond is sufficient to insure the accountability for the whole amount of the ward's estate in his hands,or which will probably be received by such guardian, and the court being satisfied from the said petition of the said petitioner duly sworn to,that the removal of the said funds will not impair the rights or be prejudicial to either of the said ward, or any other person;and

Whereas it further appears to the court that notice of this application has been published once a week for four successive weeks in the Jonesville Star,a weekly newspaper published in Lee County, Virginia,as the same appears to have been certified to by J.C.Boatright, Editor of the said Jonesville Star,and filed in this cause,

it is therefore adjudged, ordered and decreed that the said W.R. Williams, guardian as aforesaid, be and is hereby authorized to receive all such funds as may be in the hands of the said W.E. Orr, guardian as aforesaid, belonging to the said Etta Williams, nee Etta Newman, and to transfer the same by his Agent or Attorney out of the said State of Virginia, to the County of Whitley, in the State of Kentucky, in which he has been duly appointed and qualified.

It is further adjudged, ordered and decreed that the said W.E. Orr make settlement of his account before the Commissioner of Accounts of the County of Lee and that he pay over to the said W.R. Williams, guardian, his Agent or Attorney, such sum of money as may be found to be due the said Etta Williams, nee Etta Newman, after the payment of all costs, and expenses. And this cause is stricken from the docket.

Lo. R. Williams

23 { Description
of Return
of San funds

Etta Williams

Entered in C. O. 7
No 9. page 283 &c

Entered this

July 23-1912

H. W. Simon

Corbin, N.Y.

Jan, 17. 1912.

Mr. Robt. L. Pennington

Dear sis

I have just got
back from Williams -
Burg. when you see the
Pappers write to let me
know if they are all
right please let me
know at once my wife
hasnt got but one
whole Brother, his name
is Henry J. Newmans
and yours truly
soon. W. B. Williams
Corbin, N.Y.

State of Kentucky,

Whitely County Court,

Special December term, 1910.

Ettie Williams, a minor, over the age of fourteen years, orphan of James A. Newman, deceased, came into court and with the approbation of the court, made choice of W.R. Williams for her guardian, who took the oath prescribed by law, and together with S.H. Kash, his security, entered into and acknowledged a bond to the Commonwealth of Kentucky, conditioned according to law which was approved by the court.

A copy Teste:

J. A. Stanfill Clerk.

Following is a copy of the bond referred to in the above named order.

(Here copy bond and acknowledgement in full just as is is recorded.)

Guardians Bond

The Commonwealth of Kentucky

Whereas W.R. Williams has been appointed by the County Court of Whitley County, and qualified as Guardian to Ettie Williams formerly Newman, ^{a minor} Now we W.R. Williams as principal and S.H. Kash his surety, do hereby covenant to and with the Commonwealth of Kentucky, in the penal sum of \$6000.00 Six thousand dollars that the said W.R. Williams will faithfully discharge all the trust of Guardian to said Minor, in all respect as required by law.

Signed this 15th day of Dec. 1910.

W.R. Williams
S.H. Kash.

Attest

J. A. Stanfill

Clerk of Whitley County Court.

By E. G. Massingale D.C.

State of Kentucky,

County of Whitley, to-wit:

I, J.A. Stanfill, Clerk of the County court of Whitley County, in the State of Kentucky, do hereby certify that the foregoing is a true and perfect transcript of the records of the County court of Whitley County, Kentucky, showing the appointment of W.R. Williams as guardian for Ettie Williams, and I hereby certify that the order appointing the said Williams, guardian as aforesaid, and the bond executed in pursuance thereof, have not been revoked by any order of this court.

Given under my hand and seal of the said court this the 17th day of January, 1912.

J A Stanfill Clerk.

Seal

State of Kentucky,

County of Whitley, to-wit:

I, J. C. Smith, Judge of the County court of Whitley County, in the State of Kentucky, do certify that J.A. Stanfill, whose name is signed to the foregoing certificate is now, and was at the time of the signing of the said certificate, Clerk of the County court, duly elected and qualified according to law, that said signature is genuine and that his official acts are entitled to full faith and credit, and that the attestation of the said Clerk of the said certificate is in due form of law, and that the seal of the court annexed hereto was duly affixed by the said J.A.

Stanfill, Clerk as aforesaid.

Given under my hand this the 17 day of January, 1912.

J. C. Lovitt Judge.

State of Kentucky,

County of Whitley, to-wit:

I, J. A. Stanfill, Clerk of the County court of the County of Whitley, in the State of Kentucky, a court of record, do hereby certify that J. C. Lovitt, whose name is signed to the foregoing certificate, is now and was at the time of the said certificate, Judge of the said County court of the said County of Whitley, duly qualified according to law; that his signature is genuine, and that all his official acts are entitled to full faith and credit.

Given under my hand and seal of the said court this the 17 day of January, 1912.

J. A. Stanfill Clerk.

N. R. Williams
Copy
of
Transcript of
Record of Spouting
him Guvline &
Copy of his bond -
for
Ettie Williams
~~~~~

MB-

Take the County  
Clerks fill up these  
blocks - & put in a  
copy of the bond -  
& have the County Judge  
sign same -



## NOTICE

To all persons whom it may concern:

Whereas, W. R. Williams, by an order of the County Court of Whitley County, State of Kentucky, was appointed as guardian of the person and estate of Ettie Williams, a minor and,

Whereas, the said minor is entitled to the proceeds of the sale of certain real estate sold by an order of the Circuit Court for Lee County, and now in the hands of W. E. Orr, guardian of the said minor and others and,

Whereas, said minor is a resident of the State of Kentucky, County of Whitley and said guardian has qualified in said State of Kentucky therefore,

### TAKE NOTICE

That on the 23rd day of February 1912, I will file my petition before the Circuit Court for Lee County, Virginia, and make a motion for an order directing the proceeds of the sale of certain real estate now in the hands of said W. E. Orr as guardian to be paid to me as guardian of said minor, and for authority to remove said fund to the State of Kentucky, County of Whitley, in which I am appointed and qualified.

Dated this the 12th day of January, 1912.

W. R. WILLIAMS, guardian,  
By PENNINGTON BROS, Attorneys.



W. R. Williams, Guardian.

Vs



I, J. C. Boatright, editor  
of The Jonesville Star, a weekly newspaper  
published in the county of Lee, state of Virginia,  
do hereby certify that the enclosed notice was  
published in said paper once a week for four  
successive weeks, commencing on the 18th  
day of January 1912.

J. C. Boatright, Editor.

FEE \$7.00



W. R. Williams

vs } Petition for  
Removal of  
Funds—

Ettie Williams

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